



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**BARRY W. CHAPIN, ESQ.**  
**CHAPIN INTELLECTUAL PROPERTY LAW, LLC**  
**WESTBOROUGH OFFICE PARK**  
**1700 WEST PARK DRIVE, SUITE 280**  
**WESTBOROUGH MA 01581**

**COPY MAILED**

SEP 30 2008

**OFFICE OF PETITIONS**

In re Application of :  
Peter Savage, et al. :  
Application No. 10/766,293 : **DECISION ON PETITION**  
Filed: January 28, 2004 :  
Attorney Docket No. EMPIR-068PUS :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed March 13, 2008, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely pay the issue and publication fees on or before March 12, 2008, as required by the Notice of Allowance and Fee(s) Due, mailed December 12, 2007. Accordingly, the date of abandonment of this application is March 13, 2008. The Notice of Abandonment was mailed March 24, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of payment of the issue fee of \$720 and the publication fee of \$300, (2) the petition fee of \$770; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Terri Williams at (571) 272-2991.

This application is being referred to the Office of Data Management for processing into a patent.

Chris Bottorff  
Petitions Examiner  
Office of Petitions